

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

JAMES D. WALLACE,) Case No.01cv703 JM(RBB)
Plaintiff,)
v.) **JUDGMENT**
CITY OF SAN DIEGO, SAN DIEGO)
POLICE DEPARTMENT,)
Defendants.)

The jury having entered a verdict in favor of Plaintiff Wallace on March 13, 2003, and this Court having entered judgment on April 25, 2003, and the Ninth Circuit Court of Appeals having affirmed said verdict on August 25, 2006, it hereby ORDERED:

1. Plaintiff shall recover the sum of \$256,800.00 from the Defendants pursuant to the jury verdict of March 13, 2003. Plaintiff has agreed to waive interest on this judgment.

2. In addition, Plaintiff shall receive the sum of \$52,462.00 for statutory trial attorney fees plus interest on the trial attorney fees calculated pursuant to Title 28, U.S.C. Sec. 1961. Said interest shall be at the Federal Rate of 1.31% per annum and shall commence from April 25, 2003 until paid. The amount of interest due as of August 10, 2007 on the statutory trial attorney fees is \$2,749.00. The daily interest accrual rate is \$0.1785.

3. In addition, Plaintiff shall recover the sum of \$4,973.00 for reimbursable trial costs plus

1 interest on this sum calculated pursuant to Title 28, U.S.C., Sec. 1961. Said interest shall be at the
2 Federal Rate of 1.31% per annum and shall commence from April 25, 2003 until paid. The amount of
3 interest due as of August 10, 2007 on the recoverable fees is \$279.44. The daily interest accrual rate is
4 \$0.1785.


5 4. In addition, Plaintiff shall recover the sum of \$173.80 per Order of the Ninth Circuit
6 Court of Appeals for costs on appeal, plus interest calculated pursuant to Title 28, U.S.C. Sec. 1961.
7 Interest is to be paid from August 25, 2006 at a rate of 1.31% for a total interest payable to August 10,
8 2007 of \$2.27.

9 5. In addition, Plaintiff shall receive the sum of \$44,982.00 for statutory attorney fees on
10 appeal. Plaintiff has agreed to waive interest on statutory attorney fees on appeal.

11 6. If the Defendant does not tender payment within 15 days of the entry of this judgment,
12 interest shall accrue from the date this Judgment is entered into the Court's records until paid on all
13 amounts due to Plaintiff at the rate of 1.31% per annum.

14 **IT IS SO ORDERED.**

15 DATED: September 26, 2007

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17 Hon. Jeffrey T. Miller
18 United States District Judge

19 cc: All parties
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